



1615

## In the United States Patent & Trademark Office

In re Application of:  
**Clausell, A. *et al.***

Serial No.: 09/978,498 ✓

Filed on: October 15, 2001

**For: *Reagents for Improved Cell-Based Assays***

Examiner: Prats, F.

Art Unit: 1651✓

Atty Dkt. No.: 3501-117

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### Information Disclosure Statement Pursuant to 37 C.F.R. § 1.97(b)(1)

Honorable Commissioner of Patents & Trademarks  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

Listed on accompanying Form PTO-1449 are documents that may be considered material to the examination of this application, in compliance with the duty of disclosure requirements of 37 C.F.R. §§ 1.56, 1.97 and 1.98. A copy of each of these documents is provided.

This Information Disclosure Statements is being submitted prior to an Initial Office Action on the merits. No fee is accordingly believed due for consideration of this Information Disclosure Statement. However, if the Commissioner determines that a fee is required in for consideration of this Information Disclosure Statement, the U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to Deposit Account No. 50-0548 referencing docket number 3501-117.

The submitted document is:

AR15      1978:16553 CAPLUS (Abstracted from Kirby, C.J. *et al.* (1977)  
            "Cholesterol Uptake by Erythrocyte Membranes," Biochem. Soc. Trans.  
            5(4): 1160-1162)

The cited document, along with U.S. Patent Nos. 5,976,822 (Landrum *et al.*) and 6,698,411 (Lucas *et al.*) were cited in the International Search Report of Applicants' related International Patent Application PCT/US92/32315, as being "of particular relevance" to either the novelty or inventive step of the claimed invention.

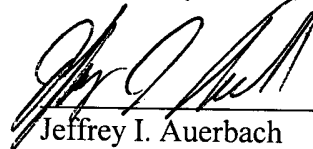
The submission of the listed and appended document is not intended as an admission that such document constitutes prior art against the claims of the present application. Applicant does not waive any right to take any action that would be appropriate to antedate or otherwise remove the listed document as a competent reference against the claims of the present application.

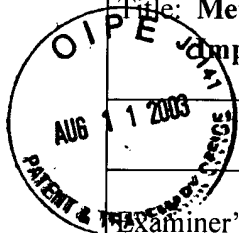
Applicant respectfully requests that the document listed on the accompanying Form PTO 1449 be considered and made of record in the present application. Applicant further requests that the Examiner initial and return a copy of the enclosed PTO-1449, and to indicate in the official file wrapper of this patent application that the documents have been considered.

While the listed reference is considered relevant to the prosecution of the present application, it is submitted that the reference, either alone or in combination, does not detract from the patentability of the claimed invention.

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Respectfully Submitted,

  
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PTO 1449 INFORMATION DISCLOSURE STATEMENT		Page 1 of 1					
		Atty Dkt: <b>3501.117</b>	Serial No. 09/978,498				
Title: <b>Methods and Reagents for Improved Cell-Based Assays</b>		Applicant: <b>Adrian Clausell, et al.</b>					
		Filing Date: <b>October 15, 2001</b>	Art Unit: <b>1651</b>				
<b>U.S. PATENT DOCUMENTS</b>							
Examiner's Initial		Patent Number	Date	Name	Class	Sub- Class	Filing Date
	AA15						
	AB15						
	AC15						
	AD15						
	AE15						
<b>FOREIGN PATENT DOCUMENTS</b>							
		Document Number	Date	Country	Class	Sub- Class	Trans- lation Yes/No
	AL15						
	AM15						
	AN15						
<b>OTHERS, including Author, Title, Date, Pertinent Pages, etc.</b>							
	AR15	1978:16553 CAPLUS (Abstracted from Kirby, C.J. <i>et al.</i> (1977) "Cholesterol Uptake by Erythrocyte Membranes," Biochem. Soc. Trans. 5(4): 1160-1162)					
	AS15						
	AT15						
	AR16						
	AS16						
	AR17						
	AT17						
Examiner:				Date Considered			
Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.							

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